

MINUTES
LAKE COUNTY PLANNING AND ZONING BOARD
March 30, 2016

The Lake County Planning and Zoning Board met on Wednesday, March 30, 2016, in County Commission Chambers on the second floor of the Lake County Administration Building to consider petitions for rezoning requests.

The recommendations of the Lake County Planning and Zoning Board will be transmitted to the Board of County Commissioners (BCC) for their public hearing to be held on Tuesday, April 19, 2016 at 9:00 a.m. in the County Commission Chambers on the second floor of the County Administration Building, Tavares, Florida.

Members Present:

Debbie Stivender	School Board Representative
Kathryn McKeeby, Secretary	District 1
Timothy Morris, Vice Chairman	District 3
Rick Gonzalez	District 4

Members Not Present:

Laura Jones Smith	District 2
Paul Bryan, Chairman	District 5
Kasey Kesselring	At-Large Representative
Donald Heaton	Ex-Officio Non-Voting Military

Staff Present:

Chris Schmidt, Manager, Planning & Zoning Division
Steve Greene, AICP, Chief Planner, Planning & Zoning Division
Tim McClendon, Chief Planner, Planning & Zoning Division
Donna Bohrer, Office Associate, Planning & Zoning Division
Rick Hartenstein, Senior Planner, Planning & Zoning Division
Michele Janiszewski, Planner, Planning & Zoning Division
Melving Isaac, Senior Planner, Planning & Zoning Division
Diana Johnson, Assistant County Attorney
Susan Boyajan, Deputy Clerk, Board Support

Vice Chairman Tim Morris called the meeting to order at 9:00 a.m. and noted that a quorum was present and that the meeting had been duly advertised. He led the Pledge of Allegiance, and Ms. Debbie Stivender gave the invocation.

TABLE OF CONTENTS

Agenda Updates

Consideration of Minutes February 24, 2016

CONSENT AGENDA

<u>TAB NO:</u>	<u>CASE NO:</u>	<u>OWNER/APPLICANT/PROJECT</u>
Tab 1	CP-2016-04	Central Water & Sewer Connection Text Amendment
Tab 2	FLU-2016-05-4	Bates Property Comprehensive Plan Map Amendment
Tab 3	CP-2016-02	Capital Improvement Program Text Amendment
Tab 4	CP-2016-03	Mt. Plymouth-Sorrento Future Land Use Text Amendment
Tab 5	RZ-16-03-5	Sangster Property Rezoning
Tab 6	RZ-16-05-5	At Home Care Rezoning
Tab 7	RZ-15-20-1	Lake Minneola Landing Rezoning
Tab 8	FLU-2016-01-2	Extreme Groves Investments LLC

Other Business

Adjournment

MINUTES

MOTION by Kathryn McKeeby, **SECONDED** by Rick Gonzalez to **APPROVE** the Minutes of February 24, 2015 of the Lake County Planning and Zoning Board meeting, as submitted.

FOR: McKeeby, Morris, Gonzalez, Stivender

AGAINST: None

MOTION CARRIED: 4-0

AGENDA UPDATES

Mr. Steve Greene, Chief Planner, Planning and Zoning Division, Economic Growth Department, related that they would be pulling Tabs 6 and 8 from the Consent Agenda and hearing them on the Regular Agenda, since there were speaker cards for those cases.

Mr. Morris stated that Ms. Stivender indicated that she wanted to make a comment regarding Tab 2, although she did not want it pulled from the Consent Agenda.

Ms. Stivender commented as a representative of the School District that although the School Board is not opposed to the request in Tab 2 to amend the Future Land Use Map (FLUM) on the Bates property, it would have an adverse impact on Eustis Elementary School.

Mr. Morris announced that he has just received a card requesting to pull Tab 7 regarding the Lake Minneola Landing PUD from the Consent Agenda.

CONSENT AGENDA

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Tab 1	CP-2016-04	Central Water & Sewer Connection Text Amendment
Tab 2	FLU-2016-05-4	Bates Property Comprehensive Plan Map Amendment
Tab 3	CP-2016-02	Capital Improvement Program Text Amendment
Tab 4	CP-2016-03	Mt. Plymouth-Sorrento Future Land Use Text Amendment
Tab 5	RZ-16-03-5	Sangster Property Rezoning

MOTION by Debbie Stivender, SECONDED by Kathryn McKeeby to APPROVE the Consent Agenda which includes Tabs 1, 2, 3, 4, and 5.

FOR: McKeeby, Morris, Gonzalez, Stivender

AGAINST: None

MOTION CARRIED: 4-0

TAB 8 – EXTREME GROVES INVESTMENT FLUM AMENDMENT

Ms. Michele Janiszewski, Planner, Planning & Zoning Division, presented the request from Extreme Groves Investment, LLC to amend the FLUM on approximately 66 acres located north of Hartwood Marsh Road and east of Clermont from the Rural Future Land Use (FLU) Category which allows a maximum density of one dwelling unit per five net acres to the Urban Low FLU Category, which allows a maximum density of four dwelling units per acre. She related that the applicant has submitted an application to rezone the property to PUD (Planned Unit Development) in order to develop the property as a residential subdivision with an outparcel for an agricultural/agri-technology business. She explained that if this Future Land Use Amendment is approved for transmittal, the rezoning application will be brought before the BCC on July 26 to be approved concurrently with the adoption of the FLU Amendment, noting that a copy of the draft PUD ordinance is provided in the backup. She pointed out that the rezoning application requested a maximum density of 2 dwelling units per net acre rather than the four units per acre currently allowed in the Urban Low FLU category in order to be more compatible with the surrounding developed properties and the adopted but not yet effective Wellness Way urban service area. She noted that the proposed FLU Amendment is consistent with the Comprehensive Plan, and staff recommends approval of the request based on the findings of fact.

Mr. Tom Daly of the Daly Design Group in Winter Park, the applicant, presented a Power Point presentation and related that this 66-acre property is on the Lake-Orange County line adjacent to the City of Winter Garden. He mentioned that the site had been an orange grove, which was no longer active due to citrus greening. He showed an aerial photograph of the site, pointing out an existing neighborhood called Prominent Point north of the neighborhood, Flynn Court, and the five-acre ranchettes to the south. He displayed the FLU Map showing the City of Winter Garden in yellow, which had a land use of four homes per acre, and he mentioned that there was a lot of development occurring in that area, including a number of new communities currently being built and ones planned for the near future. He commented that the Wellness Way Sector Plan caps the density in that area at 1.85 units per acre, but they had to apply for four units an acre, since that plan has yet to be adopted; however, to clarify that they were asking for 1.85 units per acre rather than four, they applied for a zoning application for Planned Development zoning to cap the number of

units. He noted that today's hearing was for the transmittal rather than the zoning, but they are presenting a commitment of their intentions and how they would like to move forward.

Mr. Daly presented the zoning plan on the overhead monitor which showed two components to the property of the neighborhood and a research facility, pointing out that they were not going to front any homes on Champagne Court. He explained that the four-and-a-half-acre agricultural research facility will be used in conjunction with other scientists focusing on organic growing, greening, and the possibility of alternative crops. He opined that Meritage Homes sees that partnership as great synergy. He then displayed photographs of 3,000 to 4,000 square foot homes as examples of what Meritage Homes was planning on building in the area, anticipating lot sizes of 85' by 125' minimums. He mentioned that they had a good community meeting a couple of weeks ago in order to reach out to the neighbors and discuss any issues the residents had, including access to the site, buffering, and density; and since that time they had scheduled meetings with the Lake County Water Authority, which owned a tract of land abutting Hartwood Marsh Road, to ask whether they could provide a secondary access to that community. He assured everyone that they are looking into some of the issues right now and have committed to the neighbors that they will come back between the time of transmittal and adoption to have an additional community meeting in order to provide more details for things such as options for the safety of the intersection of Flynn Court and more details about the buffering. However, they are still doing a lot of study and research, since they are only currently at the transmittal stage. He displayed their preliminary concept plan on the overhead monitor showing 122 units as the maximum number of proposed home sites and 30 percent of the site reserved for open space, which they have shown to the nearby residents. He emphasized that this was just a transmittal and was not a final approval, noting that the final details will be worked out after consulting the neighboring residents. He related that they had a hearing with the City of Clermont as part of the Joint Planning Area, and the City Council unanimously approved their request upon the condition that the zoning be concurrent with the land use.

Mr. Gonzalez asked if they have had any communication with the owners of the Winter Garden property about a possible partnership with them to make the development larger.

Mr. Daly answered that they have been in discussion with them and that there were opportunities for roadway or cross interconnection, although there has been no discussion about becoming one large community, noting that Meritage is a standalone neighborhood.

Ms. Susan Yawn, a resident of Winter Garden living near the proposed site for 24 years, noted that several of the residents have been in that area for decades and have farm animals, and she pointed out that the original plat for Prominent Point shows a density of one unit per 7.25 acres. She commented that she has been assured during some of the Wellness Way meetings that any rural or agricultural areas would definitely be protected and buffered properly from subdivision and business intrusion, and she emphasized that the proposed density of this site would be a huge jump from agricultural and rural zoning. She suggested that the owners ask for Rural Transition zoning which would keep properties at one zoning unit per one to five acres, and she stated that she was adamantly opposed to any density less

than one dwelling unit per acre. She mentioned an absence of compatibility and expressed a concern that there has been no mention of buffers, noting that there have been no details in order to make a good data-driven decision. She commented that the residents have made their investments in their homes based on the promises made to them that the area would stay rural. She also mentioned that traffic is already too dangerous to traverse on roads which are already narrow, crumbling, and in bad condition, with more planned development adding more traffic on Marsh Road.

Mr. David Grimm, a Winter Garden resident living near the proposed site on Flynn Court, mentioned that he had a 40-year extensive professional background as a contractor, planner, and builder, and opined that he has never seen a development proposal that had as many deficiencies and potential problems as this one poses to the residents and those that have to travel on Marsh Road currently and in the future. He specified that the applicant is proposing to develop an urban density project surrounded by a rural environment of one to five acre lots without transition or buffers right in the middle of an existing developed area. He noted that the applicant's own report indicates that it would add 1,900 trips per day to the roadways with Flynn Court as their only egress, which is a dead-end cul-de-sac, and no direct access to Marsh Road, which he opined was not good planning, whereas the nearby comparable communities in Winter Garden provide a safe and continuous flow of traffic. He stated that the County's own studies project 30,000 trips per day on Marsh Road in ten years. He respectfully asked that this project be denied and that the applicants come back with something that is more practical.

Mr. Gonzalez clarified that a roundabout at Hartwood Marsh and Flynn Court would help to alleviate Mr. Grimm's concerns.

Mr. Michael Kenealy, a resident of Champagne Drive in Winter Garden also near the proposed project, emphasized that the proposed neighborhood is situated at the end of a dead-end road and does not fit into the community, and he displayed an aerial photograph of the area. He commented that all of the residents have invested a lifetime into living in this type of an area, and this would result in the residents having to deal with the issues of a PUD and one short access. He pointed out a large park and nature preserve near Johns Lake that is owned by the County and is a high-drainage type of aquifer for the community, and he opined that the entrance to the park would be marred by having to go through the proposed development. He respectfully asked that the request of the applicant be denied.

Ms. Yanette Moyano, a resident of Flynn Court, adjacent to the proposed site, mentioned that the statement in the staff recommendation that there was only one letter of opposition should be amended to indicate that there have been more letters of opposition received in this case, and she elaborated that they have also sent a community letter in opposition with all of the residents' signatures who would be impacted, which was included in the backup informational packet. She reiterated the sentiment that they were not against development but just believe it should be in keeping with the integrity of the existing community. She showed on the aerial photograph that the proposed development was surrounded by one and five-acre parcels, and she opined that to sandwich an urban area between two rural areas

makes no sense and would pose a danger due to the added traffic on Hartwood Marsh Road, especially since Flynn Court intersects with Hartwood Marsh Road at a blind hill that severely limits visibility for those turning from that intersection. She asked for denial of the application.

Ms. Stivender asked how many school buses go up and down Flynn Court.

Ms. Moyano responded that one school bus travels on that road to pick up a high school student and indicated that the buses and garbage trucks currently drive around the cul-de-sac to come back up.

Mr. Frank Fernandez, a resident of Flynn Court, commented that he and most of the community are opposed to the proposed development because of the danger the traffic presents, although they are not opposed to change in general.

Ms. Stacie Welch, a resident who lives on Champagne Drive, opined that the urban planner has not been taking into consideration that land has to be set aside for retaining ponds and other things before putting in 122 homes on the remaining acreage, and she added that the proposed development is for a zero lot line neighborhood which they are trying to put in the midst of a well-established very rural community that has livestock and gardens and which does not fit at that location. She commented that the residents are not opposed to thoughtful planning, but not for a high-density development that makes no sense. She asked the Planning & Zoning Board to deny this request.

Mr. Pierce Wilson, a resident of Winter Garden near the proposed site, spoke about the trouble the residents currently have turning onto Marsh Road, and he pointed out that the developments which have been approved but not yet built would add to that traffic. He predicted many accidents in the future due to drivers who will not slow down there or obey the speed limits and the increased amount of traffic, and he suggested that Marsh Road be widened. He expressed opposition to the development of a large neighborhood there.

Mr. Scott Boyd, a resident of Champagne Drive in Orange County and a current Orange County Commissioner representing District 1, discussed some regionalism of the current plan and how it fit into the densities of Horizon West, the Wellness Way Sector Plan, and the surrounding Winter Garden area. He mentioned that his family owned Horizon West and that he has been looking into potential trail connection to the park mentioned previously. He pointed out that a development plan would be needed to acquire all of the details which were lacking at this point, and he assured everyone that Lake County and Orange County have been working on the traffic issue as part of the Wellness Way corridor. He opined that they need to work together as their community continues to grow in both counties. He pointed out that they were in a unique community with a lot of development surrounding a less-developed area, and he believed in smart planning and working with the residents to resolve a lot of the issues. He indicated that he is not opposed to the proposed development.

Mr. Ben McLean, a long-time resident of Clermont and an owner of Uncle Matt's Organic

as well as one of the minority owners of Extreme Groves, explained that the orange groves have become economically unsustainable from an organic citrus-culture production standpoint and that they have tried for several years to apply for conservation easements for this property and the adjoining Eddy property to set up a facility for research, education, and demonstration as well as a large parcel of land to show the benefits of organic sustainable agriculture and to work with the University of Florida (UF), USDA, and others to help preserve their citrus industry. He related that they have had grants funded by the Organic Center in cooperation with UF, and their vision for the agri-tech parcel there was a continuation of their original vision that they have yet to achieve. He expressed excitement at being able to cooperate and continue forward with that organic and sustainable research into varieties of citrus that they have identified in their organic farm plan that could be developed and planted post-citrus greening. He added that they also wanted to use this facility to educate and demonstrate the benefits of organic sustainable practices. He mentioned that they lease the adjoining five acres on the north side of the site from the Water Authority in order to produce organic citrus and have a marketing agreement with the Eddy property next to their site. He was also looking into additional grant funding to do a long-term citrus study on ten acres of adjoining land of planting out resistance root stocks and science for citrus greening. He commented on the long history of farming in his family.

Ms. Stivender asked what his ingress and egress points were.

Ms. McLean responded that Extreme Groves uses Flynn Court as an egress, and they also cut across the Eddy property to use Eddy Drive, since they have a marketing agreement with that property owner.

Ms. Stivender pointed out that that was not an actual County road.

Mr. Gonzalez asked if he would be able to open his research facility separate from the subdivision development, and he indicated confusion about the connection between the two.

Mr. McLean responded that it was possible to use another site, although this site was ideal since it was already certified as organic land and a pre-existing grove, noting that it was a subset of Extreme Groves. He added that the land was adjoining to the land they lease from the Water Authority as well as the Eddy property where citrus is growing, and this would give them the opportunity of continuing to work in that area. He elaborated that this property was also near Disney World and would be good for ecotourism.

Mr. Gonzalez commented that he thought it was a great project, but being linked to the residential subdivision made it more complicated.

Mr. Alex Howell, a resident who lived on Champagne Drive and a part owner of Mr. McLean's business, opined that they have been very voluntarily transparent with their neighbors and emphasized that he plans on living at that location indefinitely. He reported that Meritage is proposing a better intersection at Flynn Court and Hartwood Marsh and looking for an auxiliary access to open up the park. He explained that the research facility is

part of the project as the required set-aside under the Wellness Way plan, and they saw that as an opportunity to perpetuate their research that they have been working on for two decades, to use it as an educational center for the UF doctorate personnel to share organic solutions, and as an opportunity for community outreach. He commented that this plan will integrate agriculture in a community with a green builder, making it a win-win situation. He concluded that he recommends approval of this project to give them an opportunity to improve this site and work on the concerns that were expressed.

Mr. Wiley Cauthen, a resident of Champagne Drive, commented that the applicants are their neighbors and friends, and he gave assurances that the residents were not against development per se, but they were only against not having a sufficient plan so that the residents could understand what they were going to do. He elaborated that part of the fault was the County's for not requiring certain things up front, although he understands the reason for that was the cost to the developer. He mentioned that he was an engineer and found that the numbers were understated and not precise, which could impact traffic and other studies. He pointed out that the owners of this property applied and were turned down to develop it in 2005 only two years after purchasing it in 2003. He expressed sympathy for the citrus industry problems. He noted that those coming to the research facility should be taken into consideration in calculating the trip and traffic numbers in the application to ensure accuracy. He pointed out that the previous owner made some tradeoffs with the County in order to have the privilege of development of ten one-acre lots along the lake, which was shown on a final plat drawing of a previous speaker. He respectfully requested denial of the application, noting that he was not specifically against the development.

Mr. Morris asked Mr. Cauthen what type of density he would like to see on that property.

Mr. Cauthen answered that he would like to see transitional zoning between one acre lots on the north side and five acre lots on the south side, but two or three homes per acre would not fit what was currently there. He asked the board to consider how this project would affect the land that is adjacent to it.

Mr. Daly reminded everyone that this is just a transmittal and not a final approval. He commented that the development trends have been for zoning from two to four units per acre. He assured everyone that he understands the traffic, buffering, and compatibility issues, but he asked for the board to allow them the opportunity to continue forward and come back in July with firm answers after they technically understand the issues and whether they can provide another access point by spending more money on additional studies and surveys. He explained that an applicant does not want to spend hundreds of thousands of dollars on studies until they know that they are moving in a certain direction, but they have already initiated traffic number studies and intersection design. He mentioned that they were supportive of access to the park and would love to connect to a pedestrian trail to provide a nice and unique community. He assured everyone that they know that they have to consider buffering and design techniques to become as compatible as possible. He opined that 1.86 homes per acre as opposed to four homes per acre currently allowed is transitioning down in his opinion and a recognition that this is a special area.

Mr. Gonzalez asked if changing the density to one dwelling unit per one acre lot would be economically feasible.

Mr. Daly replied that they had to run water and sewer for about a mile or more, possibly provide 2,000 feet of road for a secondary access, and possibly provide improvements to Flynn Court, which would all entail costs that would have to be spread out over a certain number of homes. He clarified that he would not be able to answer whether it would be cost feasible until they look further into all of those kinds of things.

Mr. Gonzalez asked whether they looked into being annexed into the City of Clermont.

Mr. Daly answered that they could not be annexed, since they were not contiguous or adjacent to the city, although they were bringing the utilities out there as part of the JPA (Joint Planning Area).

Ms. Stivender pointed out that the staff analysis states that capacity issues exist in the vicinity of the project and that it would only exacerbate with the additional trips, which would be addressed under concurrency review. She clarified that the transmittal of this would not approve anything, but it would just indicate whether the state has a problem with it or not. She added that afterwards, it would come back for further review of the secondary access, the exact density, the buffering, and all of the issues that have been brought up. She stated for the record that she was a County Commissioner when a previous rezoning of this parcel came before the BCC and was denied in 2005. She expressed concern that Windy Hill Middle School is already over capacity, and she emphasized that accurate numbers will be needed to determine school concurrency. She mentioned that she loves the agricultural facility portion of this request and believes this is the ideal place for that. She commented that she believes strongly that this project should be compatible with the current surrounding community, despite what Orange County is doing. She concluded that the transmittal will give the applicant the opportunity to come back with the information that they will need.

Mr. Gonzalez commented that the only reason he can support this application is because he knows it is just one step along the way and will be modified tremendously before it gets passed, although he expressed his approbation of the research station. He suggested that they put the research station on the property owned by the Water Authority.

Ms. Stivender pointed out that Hartwood Marsh Road is not on the list of roads to be improved in the Capital Improvement Element Update in Tab 3.

MOTION by Debbie Stivender, SECONDED by Kathryn McKeeby to recommend APPROVAL of the Transmittal of FLU-2016-0102, Extreme Groves Investments, LLC, with all of the comments very specifically outlined to the Board of County Commissioners.

FOR: McKeeby, Morris, Gonzalez, Stivender

AGAINST: None

MOTION CARRIED: 4-0

REZONING CASE RZ-16-05-5 – YONALLY-GIST REZONING

Mr. Rick Hartenstein, Senior Planner, related that the case of RZ-16-05-5 for the Yonally-Gist rezoning is a request to rezone 9.77 acres from Rural Residential (R-1) to Community Facilities District (CFD) for an adult congregate living facility and nursing home, located within the Rural Future Land Use Category, with surrounding zoning of R-1, which has an established base density of one dwelling unit per five net acres, and he added that the property is located in the Emerald Marsh Rural Protection Area (RPA). He stated that the project consists of two parcels of 4.77 acres and 5 acres that were originally developed utilizing a lot split process consistent with the RPA policy and that the applicant proposes to combine the parcels and to develop a 160-bed nursing home if this rezoning is approved. He noted that the proposed rezoning is consistent with the Comprehensive Plan and Rural Future Land Use Category, which allows nursing and personal care facilities as a conditional use, and conditions have been placed in the associated ordinance regulating the principal as well as the accessory uses fulfilling the conditional use requirement for specific conditions regulating a specific use. He concluded that staff recommends approval as conditioned in the attached ordinance, including the conditions that were contained in the memo that was sent to the board members dated March 28, and the County has received one letter of opposition.

Ms. Stivender clarified that the Town of Lady Lake had no comments about this project.

Mr. Ted Wicks from Wicks Engineering Services representing the applicants mentioned that they would develop a maximum of only 140 units and then look at the intensity as they develop their plan, and he pointed out that their population continues to age, necessitating the need for this type of health care. He explained that the project will be a combination of adult living facility and adult congregate living facility, will be licensed by the state, and involve licensed health care professionals. He related that the site is very heavily wooded and would be ideal for this type of facility, as they will try to protect the rural character of the site and the trend of what is currently there. He reported that they have gone through the staff review and discussed the traffic issues, and they expect to dedicate additional right of way for French Road. He opined that these types of facilities are very low traffic generators, since most of the clients are not ambulatory or able to drive, and they would provide a transportation facility for them such as bus service. He added that visiting hours will be regulated, and the impact on the community is expected to be very minimal. He expressed an expectation that this will be a very good asset for the community and will fit well there, and he commented that the concerns in the letter of opposition could be easily addressed. He remarked that this project will bring in licensed healthcare professionals.

Mr. Gonzalez asked whether there was quite a bit of buffering in the plan.

Mr. Wicks responded that since they have done the concept plan, they have taken another look at some of the characteristics of the land, and they decided to spread it out more linearly instead of clustering in order to increase the side buffers and try to protect as much of the natural vegetation as they could on the project. He added that there are large trees and an existing residence on the property, and the facility will only be developed as the need arises and will include full service for adult living facilities including food service and care.

Ms. Stivender asked whether there will be a second access street.

Mr. Wicks answered that the second access is for emergencies only and would be gated and locked otherwise.

Mr. Gonzalez clarified that the buildings would be single story.

Mr. Wicks added that there would be typical adult living facility apartments with just efficiency kitchens and limited square footage, with one of the buildings possibly accommodating two beds each, and there would be economy of scale in providing service. He opined that traffic will not be a problem.

Mr. Robert Marcus, a resident of Lady Lake who lives on French Road near the project, mentioned that they were in a nice and quiet area, and he recapped an experience he had in Indiana where a company built a similar facility near his farm there which resulted in constant traffic due to employee vehicles and food and laundry trucks all hours of the day and night. He pointed out that although French Road is paved, Camphor Road is a sandy dirt road that is often not passable, and the required infrastructure to handle the proposed project is not available at that location. He added that a large parking lot would be required, and that he has not seen a plan for this development. He asked why they need to rezone both parcels if they do not intend on expanding it, and he opined that it does not fit in this small, quiet area.

Mr. Thomas Morrissey, a resident of Lady Lake who lives near the proposed site, noted that there was a tight 90-degree turn from Dogwood on a sand, gravel and dirt road and that Camphor Road is made of clay and sugar sand. He opined that the applicant would have to pave French Road to be able to use it as an emergency access. He pointed out that Lake Griffin Road is a very rural, two-lane highway without shoulders which is in poor condition at that location. He added that school buses travel on that road, and the students have to walk on the road without sidewalks. He expressed concern about the sewage, since all the residents in the area were on septic tanks, and emphasized the rural character of the neighborhood. He presented a petition signed by residents opposing the project who lived on Camphor Road, French Road, and Bowtie Drive to the Clerk.

Mr. Wicks remarked that the reason they used both parcels is to allow them the flexibility of doing a more linear development and protect the neighbors, and he pointed out that this was

just a first step before they had to go through all of the analysis, site plan approval, and the other planning approvals. He assured everyone that technology has improved to the point that would enable them to put in a sewer plant that was not stinky and that they will not impact the community's roads and have other options for a secondary access. He requested that the board follow staff recommendations to allow them to move forward, provide a service, and become an asset to the community.

Mr. Gonzalez asked whether the roads would be improved if the rezoning is approved.

Mr. Hartenstein replied that they would move forward with their development for site plan review to get to the permitting stage of construction if the zoning is approved, and all of those things would then be evaluated, as well as a traffic study done which would look at additional right of way and road impacts vs. improvements that need to be made during the development review process.

Ms. Stivender asked whether a secondary access would be looked into if they could not use Lemon Street during that review as well.

Mr. Hartenstein answered that it would be looked into, adding that they would need to make improvements to Lemon and Camphor if they utilized those roads to be able to support fire apparatus, which would require a 34-ton support at a minimum.

Ms. McKeeby clarified that the applicant would not be able to do any further development beyond 160 beds without going through another rezoning process and public hearing to gain approval of the project.

MOTION by Rick Gonzalez, SECONDED by Kathryn McKeeby to recommend APPROVAL of RZ-16-05-5, Yonally-Gist Rezoning, including the suggested additional conditions in the Ordinance.

FOR: McKeeby, Morris, Gonzalez, Stivender

AGAINST: None

MOTION CARRIED: 4-0

RZ-15-20-1 - LAKE MINNEOLA LANDINGS PUD AMENDMENT

Mr. Melving Isaac, Senior Planner, Planning & Zoning Division, presented the Lake Minneola Landings PUD Amendment, Rezoning Case RZ-15-20-1, located north of CR 565A and west of CR 561, also known as Lake Minneola Shores. He stated that the applicant is requesting to amend the Planned Unit Development (PUD) Ordinance #54-91 to add Planned Industrial (MP) zoned acreage of about 16 acres for a subdivision consisting of 69 residential units on a total of 39.7 acres, showing on an overhead map the location of the property. He mentioned that the applicant has already submitted a preliminary plat for the subdivision, and since the property is located within the Urban Low Future Land Use, which allows four dwelling units per acre, the request is consistent with the Comprehensive Plan and surrounding communities, since the applicant is requesting a density of 2.6. He reported that this property is going to be served by septic tanks and a drain field, with a waiver obtained by the BCC on March 1 approving the use of septic tanks rather than the required use of a central sewer system in the Comprehensive Plan. He noted that the property is currently not developed, and the applicant is to provide additional right of way west of CR 561 as a condition for development, which is a condition included in the proposed ordinance. He added that the Lake County School Board has already indicated that the proposed development would have no adverse impacts in school capacity. He included that staff is recommending approval of the PUD amendment.

Mr. Morris asked whether the main entrance will be on CR 561.

Mr. Isaac indicated that the access will be on CR 561 and showed the access point on an overhead map.

Ms. Stivender pointed out that the ordinance indicated that there will be a bicycle and sidewalk connection, as well as left and right turn lane improvements off and on CR 561, which she opined were all good things.

Cecilia Bonifay from Akerman law firm representing the applicant mentioned that this was originally known as Chris' Landing, a much more intense development, which was planned in 1991 to have fewer lots but containing a marina with a gas pump and facilities, a large boat storage facility, and maintenance facilities. She pointed out, however, that the current owner decided against that intense use in this location and came up with an amended revised PUD combining both parcels for single family. She emphasized that the applicants have been working on this for over 8 months and have been pursuing a preliminary plat, resulting in a lot of upfront work and expense that has already been done to determine exactly where the access and turn lanes would be, and additional right of way will be provided by the client on this site and will not impact any of the adjoining neighbors in any way. She commented that this is a well laid-out development which is consistent and compatible with the surrounding and existing zoning. She added that they plan to get central water from the City of Groveland, although there was no capacity for sewer at this time, and there were no environmental issues found on the site. She noted that the traffic study shows that there was capacity on the roadways, and they have a determination from the Lake County School Board that all of the schools in the area are under capacity.

Ms. Stivender stated for the record that Groveland Elementary is only 2 percent under capacity and that there may be a problem at that school shortly.

Ms. Cherie Aultman, who lives near the proposed development, commented that no one in her area has known about this proposed project, even though they have been working on it for 8 months, until the zoning sign was put up three weeks ago and cards were mailed to nearby residents. She mentioned that the previous owner did have a meeting with the residents in 1991 to work out a lot of issues with the original proposed development, and she expressed concern about the density, the resulting small size of the lots, and the fact that all of those homes will each have its own sewer system. She related that the land was a wetland that leads downhill to the chain of lakes from this property. She commented that she does not feel it fits in with their area and expressed concern about the steepness of the slope where the turn lanes will be going in. She also expressed concern that the developer will be putting the retention ponds in the only area where there are mature trees.

Ms. Bonifay pointed out that they had followed all the appropriate notice provisions and that County staff has always been willing and helpful to those with questions or concerns. She had Mr. Tom Willie address the engineering and right of way issues.

Mr. Willie related that the road will be widened on both sides, with all of the work being proposed within the existing right of way, and they were giving additional right of way as per the request from the County. He noted that a clearing permit has been applied for through the County, and he added that there was a drive off of the back side for emergency access that will be gated and paved which will also access the bike path along CR 565. He clarified that they are proposing only a single boat ramp for use for the subdivision and not a public ramp, and they have been talking with St. Johns River Water Management District about this access; also, there was to be no boat parking there. He reiterated that the City of Groveland has indicated that they do not have the sewer capacity to serve this project.

Ms. Bonifay noted that the surrounding residences were at the same density and were all on septic tanks, with no known violations or problems.

Mr. Gonzalez asked if it was cost prohibitive to have their own sanitary sewer system on the site.

Mr. Willie responded that it would be too expensive, since it would cost about a quarter to half a million dollars and that they would lose 20 to 30 lots to be able to do that. He assured him that they have looked at that option but found it was just not feasible.

Ms. Bonifay asked for the Planning & Zoning Board's recommendation to forward this to the BCC, and she assured them that they would have a meeting with the residents before this goes before the BCC to discuss any concerns or details with them.

Mr. Morris directed Ms. Bonifay to give Ms. Aultman her contact information.

Ms. Stivender asked the reason why they could not annex into the City of Groveland.

Mr. Willie answered that they are not allowed to annex in because of conditions in the ISBA (interlocal service boundary agreement) until at least 2025.

MOTION by Debbie Stivender, SECONDED by Kathryn McKeeby to recommend APPROVAL of RZ-15-20-1, Lake Minneola Landings PUD Amendment.

FOR: McKeeby, Morris, Gonzalez, Stivender

AGAINST: None

MOTION CARRIED: 4-0

OTHER BUSINESS

Mr. Greene reminded everyone that the next Planning & Zoning meeting will be April 27.

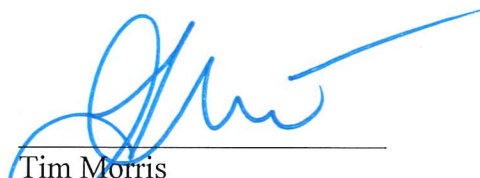
ADJOURNMENT

There being no further business, the meeting was adjourned at 11:30 a.m.

Respectfully submitted,



Susan Boyajan
Clerk, Board Support


Tim Morris
Vice Chairman